

REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the rejections set forth in the Office Action of June 17, 2004, are earnestly solicited.

Claims 1—3 have been amended to clarify Applicant's invention. Claims 1—9 remain pending in the application.

Claims 1—8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 1127950. The rejection is respectfully traversed.

As now amended, Claims 1—3 exclude the strontium and manganese called for in all disclosed embodiments of EP 1127950.

Claims 1—3 and 6—7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,997,662 to Regazzoni et al. The rejection is respectfully traversed.

Regazzoni does not disclose inclusion of silicon, as called for by amended Claims 1—3. Additionally, Claims 1—3 exclude the manganese oxide called for in test 12 of Regazzoni et al.

The amendments to Claims 1—3 are likewise believed to moot the various rejections under 35 U.S.C. § 103 of Claims 1—3, as well as Claims 4—9 which depend from Claim 1 and are believed to be allowable for the reasons set forth above with respect to amended Claim 1.

Claims 1—3, as amended herein, and Claims 4—9, as originally submitted, are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

Dated: September 2, 2004

By: 

Gordon K. Harris, Jr., Reg. No. 28,615
HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

Attorney for Applicants

Ralph E. Smith
CIMS 483-02-19
DaimlerChrysler Intellectual Capital Company LLC
DaimlerChrysler Technology Center
800 Chrysler Drive
Auburn Hills, MI 48326-2757

248-944-6519

10/765,258

6